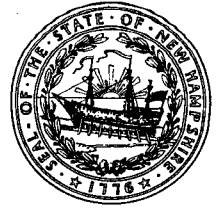


State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147 FAX (603) 271-6588



VIA FACSIMILE AND MESSENGER MAIL

LETTER OF DEFICIENCY
WET 2004-061

September 15, 2004

Michael P. Pillsbury, P.E., Administrator
Bureau of Highway Maintenance
NH Department of Transportation
P.O. Box 483
1 Hazen Drive
Concord, NH 03301

Re: Maintenance Ditching on Routes 3 and 25, Holderness

Dear Mr. Pillsbury:

On September 13, 2004, the Department of Environmental Services ("DES") Wetlands Bureau conducted a field inspection of the ditch line along Routes 3 and 25 in Holderness between Serenity Lane and Tall Timber Road. DES conducted the inspection in response to a report that recent ditch maintenance by the NH Department of Transportation ("DOT") was causing silt and sediment to migrate in the unstable ditch line, enter into drop inlets within the ditch line, and discharge directly into Squam Lake.

As a result of the inspection, the following deficiencies were documented:

1. The entire ditch line was exposed and unstable. No means of erosion control such as seeding, mulching, erosion control blankets or check dams were observed.
2. The only method of erosion control observed was the application of one hay bale staked at each entrance to each mortar culvert inlet within the ditch line.

DES is concerned that, with rain predicted to occur in the area by the end of the week, this ditch will continue to discharge silt and sediment into Squam Lake unless remedial measures are taken immediately. Therefore, we are requesting that you:

1. By the close of business on September 17, 2004, install a turbidity boom in Squam Lake at each location where the culvert discharges directly into Squam Lake to contain any sediment or turbid material;
2. By the close of business on September 17, 2004, stabilize exposed ditch lines by installing erosion control blankets at least 200 feet upslope, more if needed, of each drop inlet that discharges directly into Squam Lake;
3. By the close of business on September 17, 2004, install stone check dams in areas of high runoff potential in accordance with BMP 9 of the *Routine Roadway Maintenance Activities in New Hampshire* dated August, 2001;

4. By September 29, 2004, stabilize other areas of exposed ditch line by seeding and mulching to prevent subsequent erosion in accordance with Best Management Practices ("BMPs") 7 and 12 of the *Routine Roadway Maintenance Activities in New Hampshire*;
5. Install and implement any other methods necessary using best management practices to prevent additional water quality degradation of Squam Lake;
6. Inspect and maintain hay bales and check dams and remove accumulated sediment as necessary; and
7. Ensure that ditches are stabilized by vegetation by October 10, 2004.

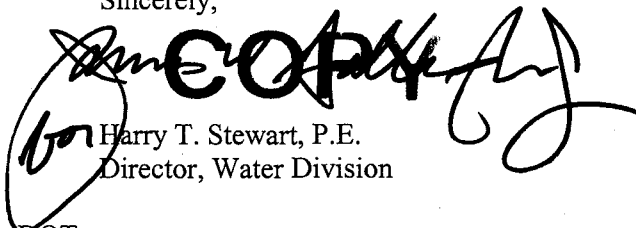
Failure to take these actions may constitute a violation of RSA 485-A. DES will conduct another inspection at a later date to determine whether compliance has been achieved with applicable statutes and rules.

All documents submitted in response to the Letter of Deficiency should be addressed as follows:

Linda Magoon, Compliance Specialist
Wetlands Bureau
NH Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03301

Thank you for your cooperation in this regard. If you should have any questions, please feel free to contact Ridge Mauck of the DES Site Specific program at 271-2303 or Mary Ann Tilton of the DES Wetlands Bureau at 271-4061.

Sincerely,


Harry T. Stewart, P.E.
Director, Water Division

cc: Carol A. Murray, Commissioner, DOT
Michael P. Nolin, Commissioner, DES
Collis Adams, DES
Mark Morrill, District 3, DOT (via facsimile)
William Hauser, DOT
Kevin Nyhan, DOT
Rene Pelletier, Manager, Land Resources Management Unit
Ridge Mauck, DES
Mary Ann Tilton, DES
Jody Connor, DES
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Chris Devine, Squam Lakes Association
Town of Holderness Conservation Commission